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PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 12349/1

Inventor Christopher Rutledge et al

Title METHOD AND APPARATS FOR DYNAMIC BANDWIDTH  
CONTROL IN A BROADCAST OPTICAL COMMUNICATIONS  
NETWORK

Express Mail Label No.

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 49]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C.113) [Total Sheets 16]
5. Oath or Declaration [Total Pages 4]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - c. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. /  
Prior application information: Examiner Group / Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

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or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Clint Gerdine

Registration No. (Attorney/Agent)

41,035

Signature

Clint Gerdine

Date

March 1, 2002

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**FEE TRANSMITTAL  
for FY 2000**

Patent fees are subject to annual revision

**Complete if Known****TOTAL AMOUNT OF PAYMENT** (\$) 908.00

|                      |                            |
|----------------------|----------------------------|
| Application Number   | Unassigned                 |
| Filing Date          | March 1, 2002              |
| First Named Inventor | Christopher Rutledge et al |
| Examiner Name        | Unassigned                 |
| Group / Art Unit     | Unassigned                 |
| Attorney Docket No   | 12349/1                    |

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to.

Deposit  
Account  
Number

11-0600

Deposit  
Account  
Name

Kenyon &amp; Kenyon

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status
- 
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 101      | 690      | 201      | 345      | Utility filing fee     | 740      |
| 106      | 310      | 206      | 155      | Design filing fee      |          |
| 107      | 480      | 207      | 240      | Plant filing fee       |          |
| 108      | 690      | 208      | 345      | Reissue filing fee     |          |
| 114      | 150      | 214      | 75       | Provisional filing fee |          |

**SUBTOTAL (1)**

(\$ 740)

**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 37                 | -20**        | 17             | 306      |
| Independent Claims | 5            | -3**           | 2        |
| Multiple Dependent |              |                |          |

\*\*or number previously paid, if greater, For Reissues, see below

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 103      | 18       | 203      | 9        | Claims in excess of 20                                     |
| 102      | 78       | 202      | 39       | Independent claims in excess of 3                          |
| 104      | 260      | 204      | 130      | Multiple dependent claim, if not paid                      |
| 109      | 78       | 209      | 39       | ** Reissue independent claims over original patent         |
| 110      | 18       | 210      | 9        | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)**

(\$ 168)

**FEE CALCULATION (continued)**

| Large Fee Code                    | Entity | Small Fee Code | Entity | Fee Description  | Fee Paid |
|-----------------------------------|--------|----------------|--------|--|----------|
| 105                               | 130    | 205            | 65     | Surcharge - late filing fee or oath  |          |
| 127                               | 50     | 227            | 25     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                               | 130    | 139            | 130    | Non-English specification  |          |
| 147                               | 2,520  | 147            | 2,520  | For filing a request for reexamination                                     |          |
| 112                               | 920*   | 112            | 920*   | Requesting publication of SIR prior to Examiner action                     |          |
| 113                               | 1,840* | 113            | 1,840* | Requesting publication of SIR after Examiner action                        |          |
| 115                               | 110    | 215            | 55     | Extension for reply within first month                                     |          |
| 116                               | 380    | 216            | 190    | Extension for reply within second month                                    |          |
| 117                               | 870    | 217            | 435    | Extension for reply within third month                                     |          |
| 118                               | 1,360  | 218            | 680    | Extension for reply within fourth month                                    |          |
| 128                               | 1,850  | 228            | 925    | Extension for reply within fifth month                                     |          |
| 119                               | 300    | 219            | 150    | Notice of Appeal   |          |
| 120                               | 300    | 220            | 150    | Filing a brief in support of an appeal                                     |          |
| 121                               | 260    | 221            | 130    | Request for oral hearing   |          |
| 138                               | 1,510  | 138            | 1,510  | Petition to institute a public use proceeding                              |          |
| 140                               | 110    | 240            | 55     | Petition to revive - unavoidable   |          |
| 141                               | 1,210  | 241            | 605    | Petition to revive - unintentional   |          |
| 142                               | 1,210  | 242            | 605    | Utility issue fee (or reissue)   |          |
| 143                               | 430    | 243            | 215    | Design issue fee   |          |
| 144                               | 580    | 244            | 290    | Plant issue fee  |          |
| 122                               | 130    | 122            | 130    | Petitions to the Commissioner  |          |
| 123                               | 50     | 123            | 50     | Petitions related to provisional applications                              |          |
| 126                               | 240    | 126            | 240    | Submission of Information Disclosure Stmt                                  |          |
| 581                               | 40     | 581            | 40     | Recording each patent assignment per property (times number of properties) |          |
| 146                               | 690    | 246            | 345    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                               | 690    | 249            | 345    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                               | 690    | 279            | 345    | Request for Continued Examination (RCE)                                    |          |
| 169                               | 900    | 169            | 900    | Request for expedited examination of a design application                  |          |
| Other fee (specify)               |        |                |        |  |          |
| *Reduced by Basic Filing Fee Paid |        |                |        |  |          |
| <b>SUBTOTAL (3)</b>               |        |                |        |  | (\$ 0)   |

**SUBMITTED BY**

Complete (if applicable)

|                   |               |                                 |        |           |                |
|-------------------|---------------|---------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Clint Gerdine | Registration No. Attorney/Agent | 41,035 | Telephone | (202) 220-4200 |
| Signature         |               |                                 |        | Date      | March 1, 2002  |

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